



SO ORDERED,

A handwritten signature in blue ink, reading "Neil P. Olack".

**Judge Neil P. Olack
United States Bankruptcy Judge
Date Signed: April 27, 2018**

The Order of the Court is set forth below. The docket reflects the date entered.

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF MISSISSIPPI**

IN RE:

RX PRO OF MISSISSIPPI, INC.,

CASE NO. 16-00288-NPO

DEBTOR.

CHAPTER 7

**ORDER SETTING ASIDE AGREED ORDER GRANTING JOINT
MOTION TO HOLD CLAIM OBJECTION IN ABEYANCE, EXTENDING
RESPONSE DEADLINE FOR CHAPTER 7 TRUSTEE, AND RESETTING HEARING**

On April 24, 2018, the Court held a status conference (the “Status Conference”) on the Objection of Rx Pro of Mississippi, Inc., d/b/a McDaniel Pharmacy to Proof of Claim of John F. Kendle—Claim No. 3 (the “Objection”) (Case No. 16-00297-NPO, Dkt. 468) filed by Rx Pro of Mississippi, Inc., d/b/a McDaniel Pharmacy (“Rx Pro”) and the Response of John F. Kendle to Objection of Rx Pro of Mississippi, Inc., d/b/a McDaniel Pharmacy to Proof of Claim of John F. Kendle Claim No. 3 [Doc No. 468] (the “Response”) (Case No. 16-00297-NPO, Dkt. 524) filed by John F. Kendle (“Kendle”) in the lead bankruptcy case of Opus Management Group Jackson LLC (Case No. 16-00297-NPO). On the same day as the Status Conference, the Court granted the United States Trustee’s Motion to Convert Case to Chapter 7 (Dkt. 289), and on April 26, 2018, the Court entered the Order (Dkt. 307) converting the above-referenced bankruptcy case (the “Rx Pro Bankruptcy Case”) to chapter 7 and rescinding the Order Granting Motion of Rx Pro of

Mississippi, Inc., d/b/a McDaniel Pharmacy for the Order Directing Joint Administration of Affiliated Cases Pursuant to Bankruptcy Rule 1015(B) (Dkt. 121).

The Court, having been advised at the Status Conference that the U.S. District Court for the Southern District of Ohio in Case No. 2:15-cv-1295 dismissed Kendle's breach of contract claim against Rx Pro on April 18, 2018 (Dkt. 298-1), finds that the Agreed Order Granting Joint Motion to Hold Claim Objection in Abeyance (the "Abeyance Order") (Case No. 16-00297-NPO, Dkt. 559) entered in the lead bankruptcy case should be set aside. The Court further finds that the duly-appointed chapter 7 trustee in the Rx Pro Bankruptcy Case should be granted an extension of time to respond to the Objection and that the Objection, Response, and response filed by the chapter 7 trustee should be set for hearing.

IT IS, THEREFORE, ORDERED that the Abeyance Order is hereby set aside.

IT IS FURTHER ORDERED that the chapter 7 trustee shall file a response to the Objection in the Rx Pro Bankruptcy Case by June 15, 2018.

IT IS FURTHER ORDERED that a hearing on the Objection, Response, and response filed by the chapter 7 trustee is scheduled for June 29, 2018, at 9:00 a.m. in the U.S. Courthouse, Bankruptcy Courtroom 4C, 501 East Court Street, Jackson, Mississippi.

##END OF ORDER##